

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **In re Bret Amond Yee**
Docket No. **288918**
L.C. No. **99-4815711-DL**

Henry William Saad, Chief Judge, acting under MCR 7.211(E)(2), orders:

This cause is REMANDED to the Macomb County Circuit Court for a determination, within 14 days, whether to appoint appellate counsel for respondent-appellee. Matters pertaining to the appointment of an attorney are decided in the trial court. MCR 7.208(G). The trial court shall determine whether respondent is entitled to appointment of counsel and whether he wishes appellate counsel to be appointed to represent him in this appeal. If both questions are determined in the affirmative, the court shall appoint appellate counsel for respondent.

The circuit court shall send a copy of the order of appointment to this Court and the prosecuting attorney in this matter, H. Steven Langschwager, who in turn shall serve the application upon appointed appellate counsel within seven days and provide this Court with a proof of service. The time for filing an answer to the application shall begin upon service of the application on appointed appellate counsel.

This Court retains jurisdiction.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JAN 28 2009
Date

Sandra Schultz Mengel
Chief Clerk